

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
N/S Mercantile Road, 1041 E. \* ZONING COMMISSIONER  
NE of c/1 Cordonway \*  
1048 Mercantile Road \* OF BALTIMORE COUNTY  
11th Election District \*  
6th Councilmanic District \* CASE # 91-449-SPH  
Nottingham Village, Inc. \*  
Legal Owner \*  
Key Leasing and Rental, Inc. \*  
Petitioner \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to the Petition for Special Hearing, for approval of a passenger vehicle leasing center (i.e., office site with ancillary facilities for the long term lease of automobiles and multi-purpose passenger vehicles) in the subject M.L.R. zone, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a finding that the parking requirements of Section 409.6 of the B.C.Z.R. are applicable to the proposed use, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Richard R. Jones, Senior Vice-President of Nottingham Properties, Inc., appeared, testified and was represented by Lawrence E. Schmidt, Esquire. Appearing and testifying on behalf of the Petition were William Kirwin, Professional Engineer and Thomas Shockley, General Manager for Key Leasing and Rental, Inc. Appearing only on behalf of the Petition was James Matis and Jeffrey Hazard. There were no Protestants.

Testimony indicated that the subject property is located within the White Marsh Business Community, Lot No. 4, Section B, consisting of 2.56 acres +/- zoned M.L.R., as indicated on Petitioner's Exhibit No. 1.

Testimony indicated that the Petitioner is desirous of constructing an office building which will incorporate ancillary facilities for the long term leasing of automobiles and multi-purpose passenger vehicles.

Testimony indicated that generally a customer will telephone Petitioner and request a vehicle. The Petitioner will then meet with the customer at a specific dealership to sign the papers. He indicated that very few, if any clients, come to the leasing office.

Mr. Shockley indicated that only minor repairs are performed on the site such as cleanup and light mechanical work. He testified that the facility will be equipped with two bays and two lifts.

Mr. Richard Jones, Senior Vice President of Nottingham Properties, Inc., testified that the current business mix within the White Marsh community is primarily retail and that the proposed 10,000 sq. ft. office building will be a complimentary use.

Mr. William Kirwin, Professional Engineer, generally described the surrounding commercial uses and indicated that the White Marsh Business Community is very flexible and compatible with the requested use. He testified that, in his opinion, the proposed use is clearly an office use with the ancillary light mechanical use. He indicated that, currently, the U.S. Post Office, Ford Motor Credit and several business and industrial uses currently keep vehicles on their respective sites in close proximity to the subject site. He testified that, in his opinion, the requested use meets the requirements of Section 502.1 of the B.C.Z.R. and that the parking requirements of Section 409.6 are clearly applicable to this use.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. and that the parking requirements of Section 409.6 are clearly applicable to this use.

quirements of Section 409.6 were applicable to the proposed use. In fact, the Petitioner has shown the proposed use will be conducted without real detriment to the neighborhood and would not adversely affect the public interest. Further, the Petitioner has demonstrated to the satisfaction of the Zoning Commissioner that the parking requirements of Section 409.6, in view of the particular facts of this case, clearly apply to the proposed use. The facts and circumstances do not show that the proposed use at this particular location would have any adverse impact upon the surrounding business community. Therefore, in view of the above, the Petition for Special Hearing shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31 day of July, 1991 that the Petition for Special Hearing for approval of a passenger vehicle leasing center (i.e., office site with ancillary facilities for the long term lease of automobiles and multi-purpose passenger vehicles) in the subject M.L.R. zone, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a finding that the parking requirements of Section 409.6 of the B.C.Z.R. are applicable to the proposed use, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible

for returning, said property to its original condition.

JRH:mmm  
cc: Peoples Counsel

J. Robert Haines  
Zoning Commissioner for  
Baltimore County

ORDER RECEIVED FOR FILING

Date  
By

ORDER RECEIVED FOR FILING

Date  
By

ORDER RECEIVED FOR FILING

Date  
By

ORDER RECEIVED FOR FILING

Date  
By

#### PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-449-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a passenger vehicle leasing center (i.e., office site with ancillary facilities for the long term lease of automobiles and multi-purpose passenger vehicles), in the subject M.L.R. zone, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a finding that the parking requirements of Section 409.6 of the B.C.Z.R. are applicable to the proposed use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Petitioner:  
Contract Purchaser:  
Key Leasing & Rental, Inc.  
(Type or Print Name)  
Signature  
22 W. Adonia Road  
Address  
Timonium, MD 21093  
City and State

Attorney for Petitioner:  
Lawrence E. Schmidt  
(Type or Print Name)  
Signature  
606 Baltimore Ave., Suite 300  
Address  
Towson, MD 21204  
City and State  
Attorney's Telephone No.: 832-2900

Legal Owner(s):  
Nottingham Village, Inc.  
(Type or Print Name)  
Signature  
100 W. Pennsylvania Avenue  
Address  
Towson, MD 21204  
City and State  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Lawrence E. Schmidt  
606 Baltimore Ave., Suite 300  
Towson, MD 21204  
Phone No. 832-2900

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Zoning Commissioner of Baltimore County.

C.C.O.-No. 1

(over)

ORDER RECEIVED FOR FILING

Date  
By

450

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

July 19, 1991

Lawrence E. Schmidt, Esquire  
606 Baltimore Avenue  
Suite 300  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Nottingham Village, Inc., Legal Owner  
Key Leasing and Rental, Inc., Petitioner  
Case #91-449-SPH

Dear Mr. Schmidt:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:mmm  
att.  
cc: Peoples Counsel

Mr. William Kirwin  
Mr. James Matis  
Mr. Richard Jones  
Mr. Jeffrey Hazard  
Mr. Thomas Shockley

GEORGE WILLIAM STEPHENS JR. & ASSOCIATES, INC.  
(INCORPORATED)  
100 BALTIMORE TOWSON, MARYLAND 21204

May 20, 1991

Description to Accompany Zoning  
Petition for Special Hearing,  
Part of Lot 4, White Marsh  
Business Community Section 'B'.  
91-449-SPH

Beginning for the same at a point on the north side of Mercantile Road said point being distant North 82° 19' East 1041' from the intersection of the center lines of Mercantile Road and Cordon Way, running thence and leaving said Mercantile Road the six following courses, viz:

- 1) North 20° 16' 09" East 613.36'
- 2) South 85° 25' 59" East 254.33'
- 3) By a curve to the right having a radius of 738.47' for a distance of 157.14'
- 4) South 22° 37' 24" East 132.01'
- 5) North 87° 13' 11" West 444.16'
- 6) South 20° 16' 09" West 365.34' to a point on the north side of Mercantile Road, thence binding along the north side of Mercantile Road the two following courses, viz:  
7) By a curve to the right having a radius of 75.00 feet for a distance of 3.77' and  
8) By a curve to the left having a radius of 730' for a distance of 48.27' to the place of beginning.  
Containing 2.52 acres.

THIS DESCRIPTION IS INTENDED FOR ZONING PURPOSES ONLY AND IS NOT FOR USE IN CONVEYANCE OF LAND.



450

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 7/28/91  
Posted for: Special Hearing  
Petitioner: Nottingham Village, Inc. Key Leasing & Rental, Inc.  
Location of property: 22 W. Adonia Rd., Towson, MD 21204  
Location of Signs: Facing Mercantile Rd., signs 12' x 6' x 4' on each side of road  
Remarks: On property of the Petitioner  
Posted by: M. Schmidt  
Number of Signs: 1  
Date of return: 7/28/91

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Case Number: 91-449-SPH  
105 Mercantile Road, 1041 NE of c/1 Cordonway  
11th Election District  
Legal Owner: Nottingham Village, Inc.  
Contract Purchaser: Key Leasing & Rental, Inc.  
Hearing Date: Wednesday, July 10, 1991 at 11:30 a.m.  
Special Hearing: to approve a passenger vehicle center (i.e., office site with ancillary facilities for the long-term lease of automobiles and multi-purpose passenger vehicles) and that the parking requirements of Section 409.6 of the B.C.Z.R. are applicable to the proposed use.

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/14, 1991  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/13, 1991.

THE JEFFERSONIAN,

S. Zeke  
Publisher

\$ 75.18

# CERTIFICATE OF PUBLICATION

**NOTICE OF HEARING**  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 West Chesapeake Avenue, Suite 901, Baltimore, Maryland 21204, as follows:  
Case Number: 91-449-SPH  
N/S Mercantile Road, 1041' NE of c/l Cordoway  
4985 Mercantile Road  
11th Election District  
6th Councilmanic  
Legal Owner(s): Nottingham Village, Inc.  
Petitioner(s): Key Leasing & Rental, Inc.  
Hearing Date: Wednesday, July 10, 1991 at 11:30 a.m.  
Special Hearing: To approve a passenger vehicle center (i.e. of the long-term lease of automobiles and multi-purpose passenger vehicles) and the parking requirements of Section 409.6 of the B.C.Z.R. are not applicable to the proposed use.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
NJL:JES June 13

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/13/91.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

*C. Zabe Orlan*  
Publisher

\$75.00

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Amount: \$75.00  
Number:

receipt

Date:

Please Make Checks Payable To: Baltimore County  
111 West Chesapeake Avenue  
Towson, MD 21204

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 6/24/91

Key Leasing & Rental, Inc.  
22 W. Dabolia Road  
Flushing, MD 21053

RE: Case Number: 91-449-SPH  
N/S Mercantile Road, 1041' NE of c/l Cordoway  
4985 Mercantile Road  
11th Election District - 6th Councilmanic  
Legal Owner(s): Nottingham Village, Inc.  
Petitioner(s): Key Leasing & Rental, Inc.  
HEARING: WEDNESDAY, JULY 10, 1991 at 11:30 a.m.

Dear Petitioner(s):

Please be advised that \$75.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: Lawrence E. Schmidt, Esq.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

May 31, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

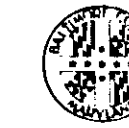
Case Number: 91-449-SPH  
N/S Mercantile Road, 1041' NE of c/l Cordoway  
4985 Mercantile Road  
11th Election District - 6th Councilmanic  
Legal Owner(s): Nottingham Village, Inc.  
Petitioner(s): Key Leasing & Rental, Inc.  
HEARING: WEDNESDAY, JULY 10, 1991 at 11:30 a.m.

Special Hearing to approve a passenger vehicle center (i.e. office site with ancillary facilities for the long-term lease of automobiles and multi-purpose passenger vehicles); and that the parking requirements of Section 409.6 of the B.C.Z.R. are applicable to the proposed use.

Zoning Commissioner of Baltimore County

cc: Nottingham Village, Inc.  
Key Leasing & Rental, Inc.  
Lawrence E. Schmidt, Esq.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

June 18, 1991

Lawrence E. Schmidt, Esquire  
606 Baltimore Avenue, Suite 300  
Towson, MD 21204

RE: Item No. 450, Case No. 91-449-SPH  
Petitioner: Nottingham Village, et ux  
Petition for Special Hearing

Dear Mr. Schmidt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Richard R. Jones  
Key Leasing & Rental Inc.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 5th day of June, 1991.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

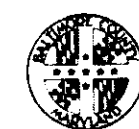
Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Nottingham Village, et al

Petitioner's Attorney: Lawrence E. Schmidt

Baltimore County Government  
Fire Department



700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

MAY 31, 1991

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: NOTTINGHAM VILLAGE, INC.  
Location: #4985 MERCANTILE ROAD  
Item No.: 450 Zoning Agenda: JUNE 4, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Robert W. Bowling* Noted and Approved  
Special Inspection Division Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 3, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for June 4, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 431, 441, 442, 443, 448, 449, and 451.

For Items 432, 439 and 444, the previous County Review Group comments are still applicable.

For Items 445, 446, 450 and 453, County Review Group Meetings are required.

For Item 447, this site is subject to the previous minor subdivision comments.

*Robert W. Bowling*  
Robert W. Bowling, P.E., Chief,  
Developers Engineering Division

RWB:s

received  
6/14/91

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: July 10, 1991

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Nottingham Village, Inc., Item No. 450

The Office of Planning and Zoning questions whether the proposed use is permitted in an M.L.R. zone. It appears to staff that the intended use is not ancillary. The principal use is clearly a service garage type use.

Should the applicant's request be granted, staff recommends the following conditions be attached:

- A new record plat would be required for the division of Lot 4.
- A landscape plan shall be filed with the Baltimore County landscape planner for approval by the deputy director of the Office of Planning and Zoning. Said plan shall include enhanced landscape treatment along I-95.
- Prior to the issuance of any permits, elevations drawings outlining proposed building materials shall be submitted to the deputy director of the Office of Planning and Zoning.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm  
ITEM450/ZAC1





7/1/91 91-449-SPH

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: June 26, 1991

TO: Mr. J. Robert Haines  
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 4, 1991

This office has no comments for items number 431, 441, 443, 447, 448, 449, 450, 451 and 453.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

POTTHAST AND SCHMIDT, P.A.  
ATTORNEYS AT LAW  
THOMAS J. POTTHAST, JR.  
LAWRENCE E. SCHMIDT  
606 BALTIMORE AVENUE, SUITE 300  
TOWSON, MARYLAND 21204  
(410) 832-2900

May 24, 1991

RECEIVED  
ZONING OFFICE  
91-449-SPH

The Honorable J. Robert Haines  
Office of the Zoning Commissioner  
111 Chesapeake Avenue, Room 109  
Towson, MD 21204

Re: Petition for Special Hearing  
Item Number: H9100450  
4985 Mercantile Road  
White Marsh Business Community

Dear Commissioner Haines:

Kindly be advised that I represent Key Leasing and Rental, Inc. and Nottingham Village, Inc. in reference to their Petition for Special Hearing: seeking approval of a passenger vehicle leasing center in an MLR Zone. The Petition seeks a favorable interpretation of the BCZR from you that the proposed use is permissible in an MLR Zone. The subject property is located within the White Marsh Business Community immediately adjacent to Interstate 95. The Petition and accompanying documents were accepted for filing by Kate Milton of your office on May 23, 1991.

The purpose of this letter is to request that an expedited hearing be assigned for this case. Specifically, my clients are in need of as prompt a decision as possible on their Petition so that financial considerations attendant to the proposal can move forward. Further, I believe that an expedited hearing would not be prejudicial to anyone concerned with the project. It should be noted that the project is to be located within an industrial park; thus, there is no community interest or opposition to be expected. Further, kindly note that I represent all interested parties, that is, both the business park developer, Nottingham Properties, Inc., as well as the subject petitioner, Key Leasing and Rental, Inc. Further, in that the Petition seeks an interpretation by you of the provisions of the BCZR as they relate to use in an MLR Zone, I do not anticipate a lengthy presentation. That is, I would anticipate two to three witnesses at the maximum, and that the cumulative argument and testimony would take no longer than one hour.

The Honorable J. Robert Haines  
Page 2  
May 24, 1991

91-449-SPH

Under the circumstances, your anticipated cooperation is appreciated in scheduling this matter. Please be advised that my clients and I will make myself available at your convenience as to scheduling.

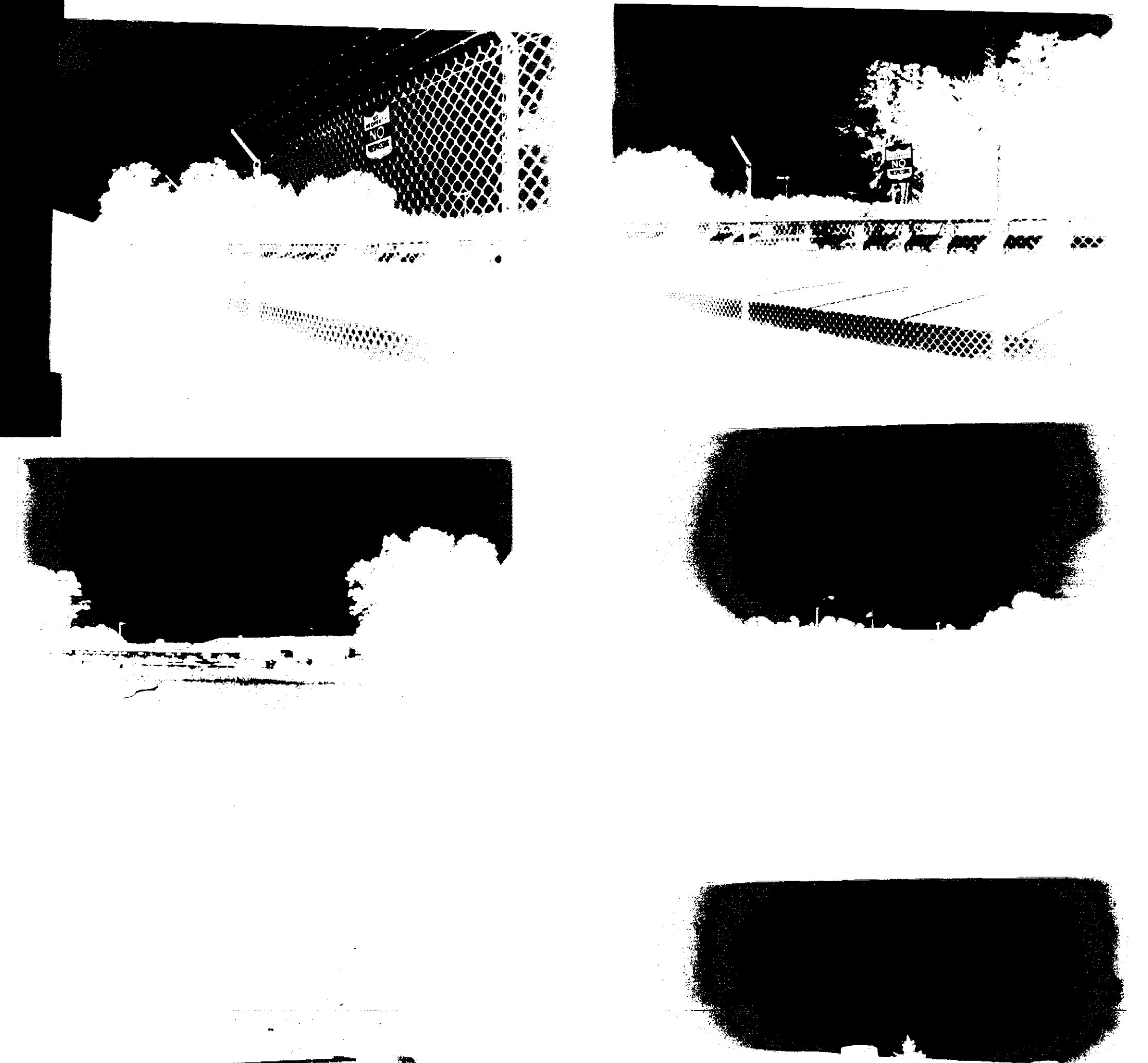
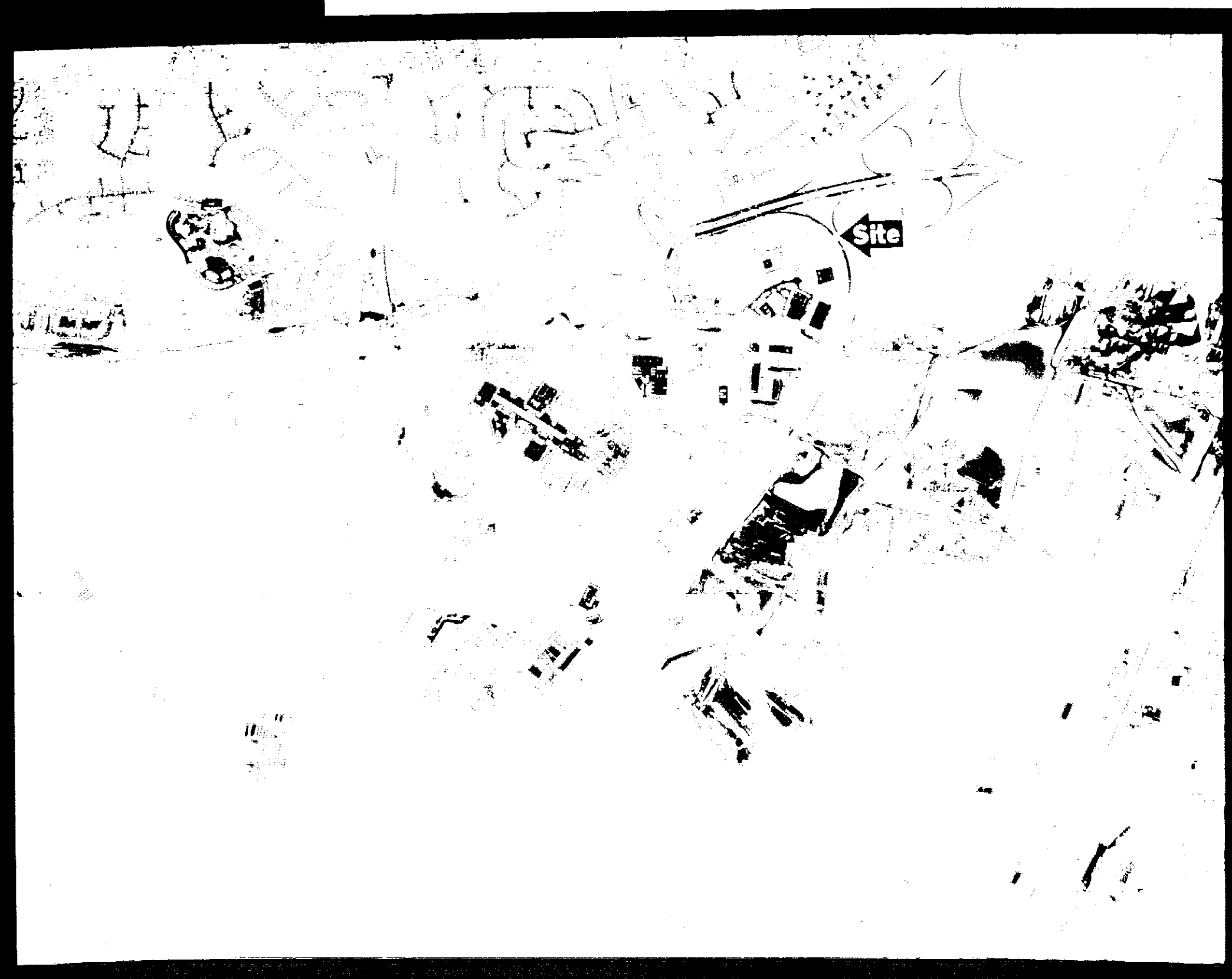
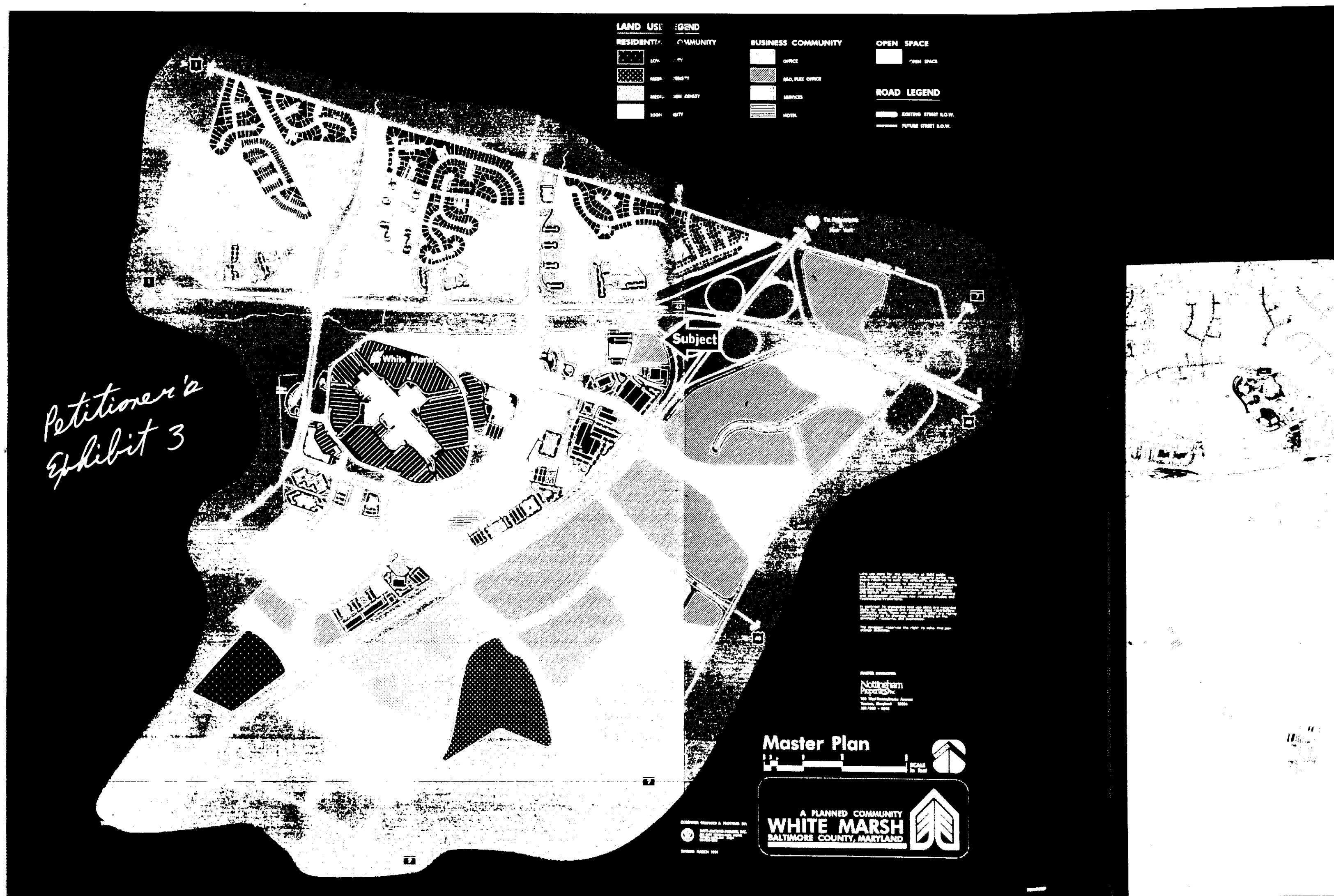
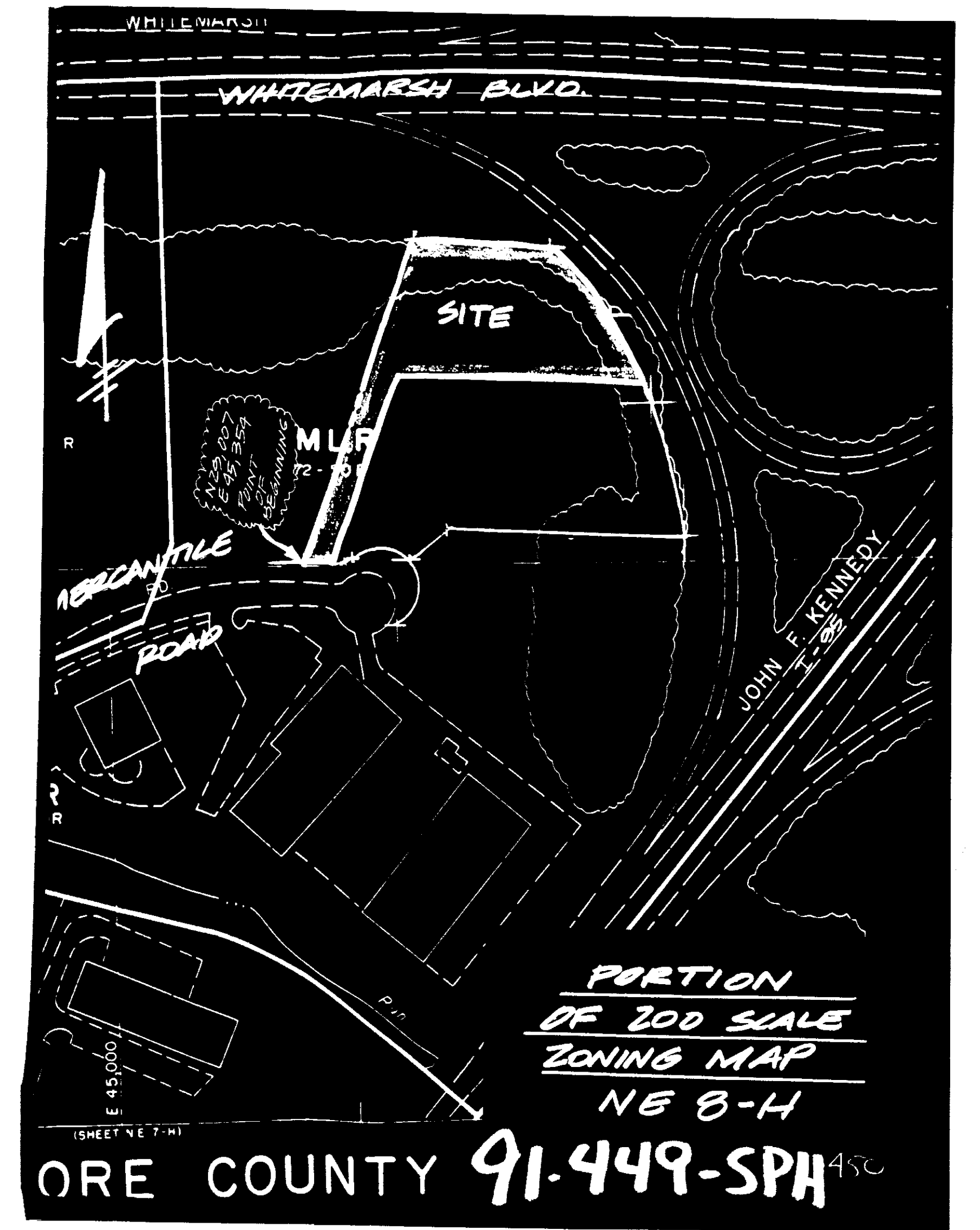
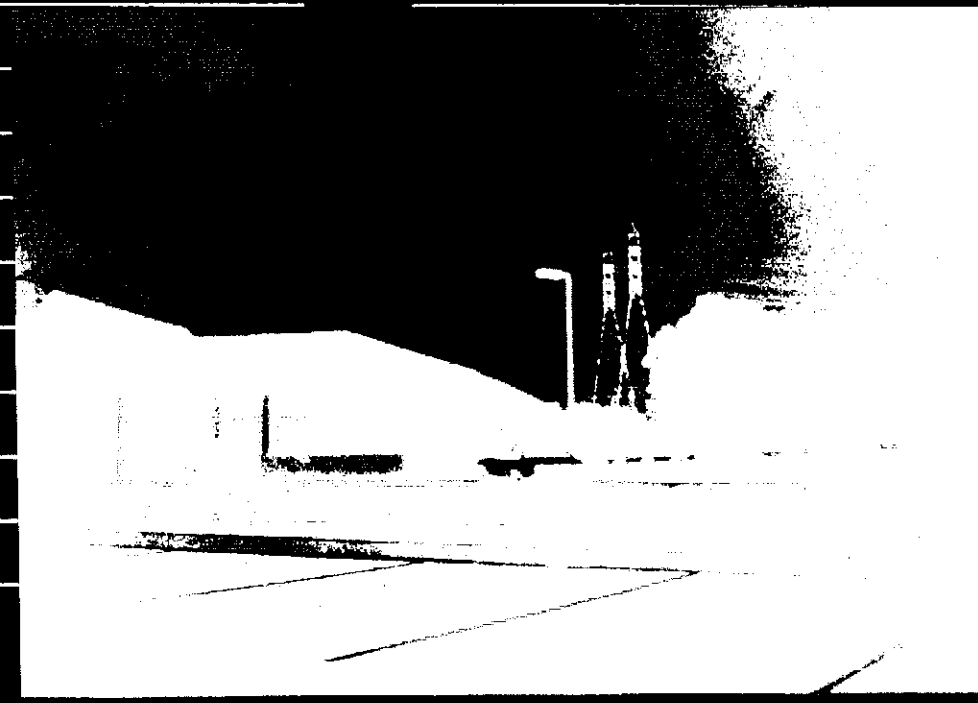
Very truly yours,  
*Lawrence E. Schmidt*  
Lawrence E. Schmidt

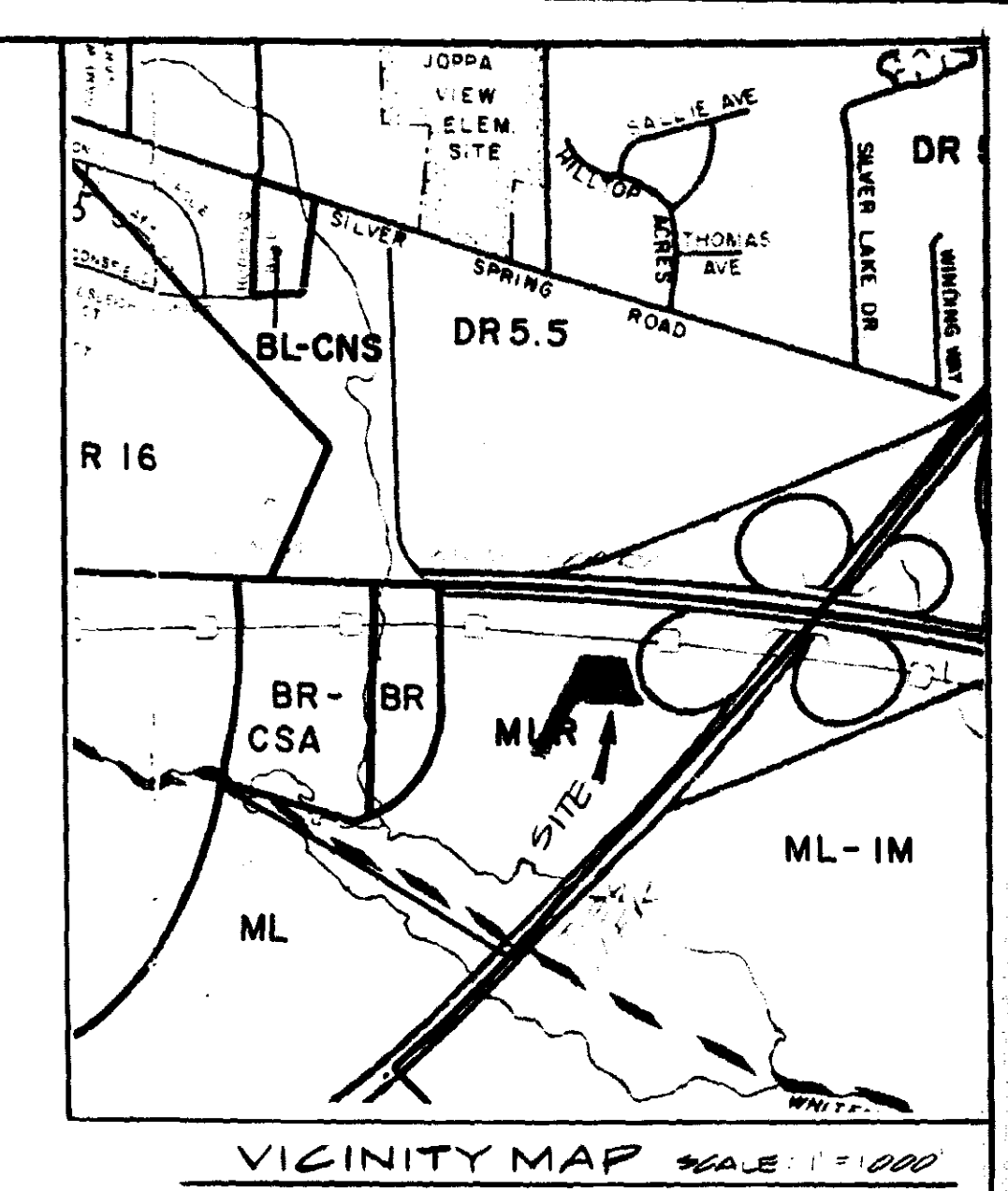
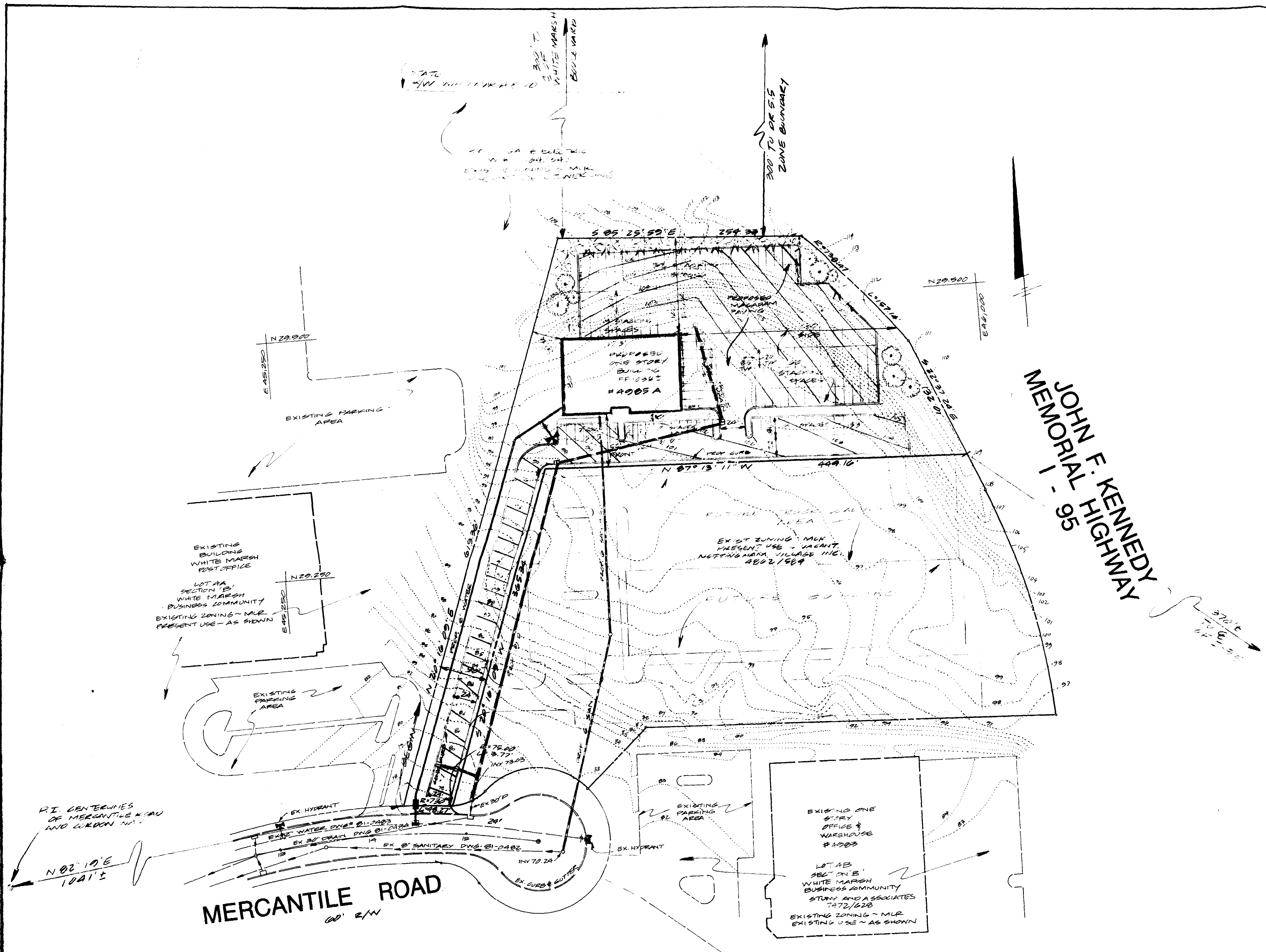
LES/dps

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Paul L. Lamm</i>	<i>2212 Padonia Rd 21093</i>
<i>Thurmon Stockley</i>	<i>2212 Padonia Rd 21093</i>





**SITE DATA**

NET AREA OF SITE	2.52 ACRES
GROSS AREA OF SITE	2.56 ACRES
EXISTING ZONING	MLR
EXISTING USE	VACANT
PROPOSED USE	12,000 SF BUILDING PASSENGER VEHICLE LONG TERM LEASING CENTER WITH ANCILLARY VEHICLE PREPARATION AREA TENTATIVE PLAN APPROVAL NOVEMBER 1981
C.R.O.	12,000 SF/11,514 SF = .09 < .80
FLOOR AREA RATIO	30 FEET
MAXIMUM PROP. BUILDING HEIGHT	7:00 AM TO 9:00 PM MONDAY THRU SATURDAY
HOURS OF OPERATION	20
MAX. NUMBER OF EMPLOYEES	NONE
PREVIOUS COMMERCIAL PERMITS	LOT 4 - WHITE MARSH BUSINESS COMMUNITY SECTION B 5M 55 FOLIO 124
REFERENCE	6 EXIST
COUNCILMANIC DISTRICT	4862/584
WATER AND SEWER FACILITIES	20-00-011004
DEED REFERENCE	NONE REQUIRED
TAX ACCOUNT NUMBER	THERE ARE NO PREVIOUS ZONING CASES
AMENITY OPEN SPACE	ERECTED AS TO NOT REFLECT RAYS INTO RESIDENTIAL AREAS
ZONING CASES	MACADAM DURABLE AND DUST FREE & STRIPED
LIGHTING	ALL STRUCTURES AND USES WITHIN 200' ARE SHOWN
PAVING	STORM WATER MANAGEMENT WAIVED
STRUCTURES	
PROPOSED SIGNAGE	TO BE IN ACCORDANCE WITH SIGNAGE REGULATIONS OF THE MLR ZONE

**PARKING TABULATION**

12,000 SF BUILDING	91.00 SF GENERAL OFFICE @ 3.3 SP/1000 SF = 28.73 SPACES
	1900 SF (3 BAY) VEHICLE PREPARATION AREA @ 3.3 SP/1000 SF = 6.27 SPACES
TOTAL PARKING REQUIRED	= 35 SPACES
TOTAL PARKING PROVIDED EXCLUDING VEHICLE STORAGE	= 35 SPACES
PARKING SPACES 8.5' X 18' TYPICAL	
HANDICAP SPACES (TWO SIDE BY SIDE) 21' X 18'	
TOTAL NUMBER OF STACKING SPACES FOR VEHICLE STORAGE = 139 SPACES	
VEHICLE STORAGE SPACES 8.5' X 20' TYPICAL	
THERE WILL BE NO DAMAGED OR DISABLED VEHICLES OR PARTS STORED OUTSIDE OF THE BUILDING.	

**PETITIONER'S EXHIBIT 1**

THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND SHOULD NOT BE USED FOR CONVEYANCE OF PROPERTY, SPECIAL AGREEMENTS OR CONSTRUCTION OF IMPROVEMENTS.

SPECIAL HEARING IS REQUESTED TO DETERMINE WHETHER A PASSENGER VEHICLE LEASING CENTER IS A PERMITTED USE IN A MLR ZONE AND TO DETERMINE THE PARKING REQUIREMENTS PER SECTION 409.6 BC2R

<b>GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.</b> CIVIL ENGINEERS & LAND SURVEYORS 656 KENILWORTH DRIVE, SUITE 100 TOWSON, MARYLAND 21204 (301) 825-8120		OWNER: NOTTINGHAM VILLAGE INC. 100 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 301-825-0546	PETITIONER: KEY LEASING AND RENTAL INC. 22 WEST PADOMIA ROAD LUTHERVILLE, MARYLAND 21093 301-666-5111	ITEM 450  PN 06744	PLAT TO ACCOMPANY ZONING PETITION FOR SPECIAL HEARING LOT 4 WHITE MARSH BUSINESS COMMUNITY SECTION B BALTIMORE COUNTY, MD ELECTION DISTRICT NO. 11 SCALE 1" = 50' MAY 22, 1981
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CIRCUIT COURT FOR BALTIMORE COUNTY  
CIVIL CATEGORY APPEAL 92CV10197

IN THE MATTER OF  
THE APPLICATION OF  
ALVIN H. PARLETT, et ux  
For a Special Hearing on  
Property Located on the  
Northwest Side of  
Earls Beach Road  
(1004 Earls Beach Road)  
15th Election District  
5th Councilmanic District  
EARLS BEACH IMPROVEMENT ASSOCIATION

ATTORNEYS  
Michael P. Tanczyn  
606 Baltimore Avenue  
Suite 106  
21204 296-8823

John B. Gontrum  
814 Eastern Blvd  
21221

ALVIN H. PARLETT AND  
ROSALIE PARLETT

TRANSCRIPT IN BASEMENT  
LOCATION: Box 93-8411

#91-450-SPH

- 1) Oct. 30, 1992 Appellants Order for Appeal from the Decision of the County Board of Appeals & Petition for Appeal fd.  
(2) Nov 27, 1992 Transcript of Record, fd.  
(3) Nov 27, 1992 Notice of filing of record, fd. Copy sent.  
(4) Nov. 30., 1992 Appellees' answer to Petition, fd. (rec'd 11/25/92)  
(cam) (5) Dec 28, 1992 Plcff.'s Memorandum, fd.  
(6) Jan 29, 1993 - Stipulation by BOTH Parties, fd (rec'd 1/25/93)  
(7) Feb. 5, 1993- Stipulation fd.  
(8) Feb 17, 1993 Stipulation, fd. (Rec.'d 2/12/93 @4:35 p.m. BKH)  
(9) Feb. 22, 1993- Stipulation that Appellees time to file his Memorandum in the Above Referenced case is no later than Feb. 26, 1993 fd.  
(10) Mar 1, 1993 Defts.' memorandum, fd.  
(11) March 16, 1993 Appellants' Motion to Amend the Record with Additional Evidence, fd. Request for Hearing. (Motion to Amend if evidence submission not stipulated)  
(12) March 26, 1993 Answer of Alvin and Rosalie Parlett to the Motion to Amend the Record, fd.

Docket 36 Page 308 Case 92CV 10197

Waste Management, Inc., effective January 11, 1993 and claim among the changes that the name of the business as well as the billings will come from Waste Management, Inc., and allow as a point of contact for Waste Management, Inc. at a telephone number in Baltimore different from their telephone number in their letterhead.

3. This is indeed relevant to the issues of continuation of a nonconforming use which are to be discouraged and eliminated under the law.

WHEREFORE, Appellants the attached notice to the Court to supplement the record presented before the Board of Appeals and request the Court;

A. Order that the record be supplemented with the attached material;

B. Remand the case to the Board of Appeals for consideration of additional developments.

MICHAEL P. TANCZYN, ESQ.  
Attorney for the Appellants  
606 Baltimore Avenue, Suite 106  
Towson, Maryland 21204  
Telephone: (410) 296-8823

CASE NO.

May 3, 1993 - Hon. Joseph F. Murphy, Jr. Hearing had. Plaintiff's Motion to Amend the Record (pap11) - Denied. For reasons stated on the record in Courtroom 12, the Court affirms the decision of the County Board of Appeals dated 10/1/92. Order to be signed.

ROMADKA, GONTRUM & McLAUGHLIN, P.A.

814 Eastern Boulevard  
Baltimore, Maryland 21221  
TELEPHONE: (410) 496-8274  
FAX: (410) 496-8115

November 3, 1993

ROBERT J. ROMADKA  
JOHN B. GONTRUM  
J. MICHAEL McLAUGHLIN, JR.

ALSO ADMITTED BY D.C.

Board of Appeals  
400 Washington Ave., Room 49  
Towson, MD 21204

Attn: Kathleen C. Weidenhammer

Re: Alvin H. Parlett  
91-450-SPH  
RGM File No.: 11.3039

Dear Ms. Weidenhammer:

Enclosed please find Circuit Court docket sheet for the referenced matter.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

Belinda J. Bowerson  
Secretary for  
John B. Gontrum

JBG/bjb  
Enclosure

11:11 AM 6-NOV-93  
RECEIVED  
CLERK OF COURT  
BALTIMORE COUNTY

IN THE MATTER OF \* BEFORE THE CIRCUIT COURT  
THE APPLICATION OF \*  
ALVIN H. PARLETT, et ux \* FOR BALTIMORE COUNTY  
For a Special Hearing on \*  
Property Located on the \*  
Northwest Side of \*  
Earls Beach Road \*  
(1004 Earls Beach Road) \*  
15th Election District \*  
5th Councilmanic District \*  
Case No. 91-450-SPH \* Case No. 36/308/92CV-10197

MOTION TO AMEND THE RECORD WITH ADDITIONAL EVIDENCE

NOW COMES, Earls Beach Improvement Association, Charles and Carolyn Carnes, Bernie and Madeline Robier, Richard and Wendy McNelly, Vincent Sansone, Dolores Kelly, George and Brigid Willinger, Appellants, by their attorney, Michael P. Tanczyn, Esq., pursuant to Maryland Rule B10 and moves this Honorable Court to admit the attached and permit the evidence submitted by the Board to account for relevant recent developments and say:

1. The Board of Appeals' findings in part of its Order denied the Petitioners below a requested Class 2 trucking facility and denied a contractors' equipment storage yard and allowed them a business operation from a residential premises as well as storage and maintenance facility for large 15 ton trash trucks.

2. The Appellants received a notice submitted by Petitioners to its customers dated January 14, 1993 and attached whereby they announce a merger with a large waste contractor,

POINTS AND AUTHORITIES

Maryland Rule B-10

County Council vs District Land Corp., 274 Md 691, 337 A 2d 712 (1975)

MICHAEL P. TANCZYN, ESQ.

REQUEST FOR HEARING

Appellants, by their undersigned attorney, respectfully request that this matter and evidence, if not stipulated to by the Appellees, be set in for hearing by the Court.

MICHAEL P. TANCZYN, ESQ.

I HEREBY CERTIFY that this 15th day of March, 1993, a copy of the foregoing was mailed, postage prepaid, to John B. Gontrum, Esq., 814 Eastern Boulevard, Baltimore, Maryland, 21221, attorneys for the Appellees; to Kathleen C. Weidenhammer, Administrative Assistant, County Board of Appeals for Baltimore County, Old Courthouse, Room 49, 400 Washington Avenue, Towson, Maryland, 21204; and Peter Max Zimmerman, Esq., Deputy People's Counsel, Old Courthouse, Room 48, 400 Washington Avenue, Towson, Maryland, 21204.

MICHAEL P. TANCZYN, ESQ.

IN THE MATTER OF \* BEFORE THE CIRCUIT COURT  
THE APPLICATION OF \*  
ALVIN H. PARLETT, et ux \* FOR BALTIMORE COUNTY  
For a Special Hearing on \*  
Property Located on the \*  
Northwest Side of \*  
Earls Beach Road \*  
(1004 Earls Beach Road) \*  
15th Election District \*  
5th Councilmanic District \*  
Case No. 91-450-SPH \* Case No. 36/308/92CV-10197

ORDER

UPON CONSIDERATION of the Motion to Amend the Record With Additional Evidence filed heretofore by the Appellants, and any response thereto, and after hearing if required, it is by the Circuit Court for Baltimore County this \_\_\_\_ day of \_\_\_\_\_, 1993,

ORDERED, that the record be supplemented by the information attached to the Motion as prayed.

JUDGE